

HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EMI C. LONG, aka EMI C. FARLEY and KIRK P.
FARLEY, husband and wife,

Plaintiffs,

vs.

OLYMPIA EMERGENCY SERVICES, PLLC, a
Washington Limited Liability Company; PACIFIC
WOMEN'S CENTER, LLC, an Oregon Corporation;
RICHARD BEYERLEIN, MD; PROVIDENCE ST.
JOSEPH HEALTH, a Washington Corporation;
PROVIDENCE HEALTH & SERVICES, a
Washington corporation; PROVIDENCE HEALTH
& SERVICES - WASHINGTON, a Washington
corporation, dba PROVIDENCE ST. PETER
HOSPITAL and PROVIDENCE MEDICAL
GROUP; COREY SULLIVAN MD; JOHN NGO,
DO; ARIN BRASETH, MD; BAYER
HEALTHCARE, LLC, a Delaware Corporation;
BAYER MEDICAL CARE, INC., a Delaware Corp.;
and BAYER HEALTHCARE
PHARMACEUTICALS, INC., a Delaware
corporation;

Defendants.

Case No. 3:20-cv-05468-JLR

**ORDER OF DISMISSAL WITH
PREJUDICE AS TO BAYER
DEFENDANTS ONLY**

THIS MATTER having come before the Court by way of stipulated motion for entry of
judgment by Plaintiffs and Defendants Bayer Healthcare, LLC, Bayer Medical Care, Inc., and

1 Bayer Healthcare Pharmaceuticals, Inc. (hereinafter "Bayer Defendants") to dismiss all claims
2 against Bayer Defendants only, with prejudice and without fees and costs, and the Court being
3 fully advised in the premises, now, therefore,

4 IT IS HEREBY ORDERED that all of Plaintiffs' claims against Bayer Defendants only
5 are hereby dismissed with prejudice and without costs as to any party.

6 DATED this 24 th day of September, 2020.

7
8 

9
10 HONORABLE JAMES L. ROBART
11 United States District Judge

12 Presented by:

13 **GORDON REES SCULLY MANSUKHANI, LLP**

14 *s/ Nancy M. Erfle*

15 Nancy M. Erfle, WSBA No. 20644
16 1300 SW Fifth Avenue, Suite 2000
17 Portland OR 97201
18 T: 503-382-3852
19 nerfle@grsm.com

20 *Counsel for Defendants Bayer Healthcare,*
21 *LLC, Bayer Medical Care, Inc., and Bayer Healthcare*
22 *Pharmaceuticals, Inc.*

23 **MILLER & WAGNER, LLP**

24 *s/ Robert S. Wagner*

25 Robert S. Wagner, WSBA No. 14567
26 rsw@miller-wagner.com
2210 N.W. Flanders Street
Portland, OR 97210
T: 503-299-6116

Counsel for Plaintiff

FITZER VEAL LAW, PS

s/ Bertha B. Fitzer

Bertha B. Fitzer, WSBA No. 12184

bertha@f2vm.com

Jennifer Marie Merringer Veal,

WSBA No. 41942

jen@f2vm.com

1102 Broadway, Ste. 401

Tacoma, WA 98401

T: 253-683-4501

*Counsel for Olympia Emergency Services,
PLLC*

FAVROS LAW (SEA)

s/ Eric A. Norman

Chad Beck, WSBA No. 45773

chad@favros.com

Eric A. Norman, WSBA No. 37814

eric@favros.com

701 Fifth Ave., Ste. 4750

Seattle, WA 98104

T: 206-749-0094

*Counsel for Providence St. Joseph Health,
Providence Health & Services, Providence Health &
Services – Washington, Providence St. Peter Hospital,
Providence Medical Group, and Corey Sullivan, M.D*

HODGKINSON STREET MEPHAM, LLC

s/ Bertha B. Fitzer

David S. Mephram, WSBA No. 21087

dsm@hs-legal.com

1620 SW Taylor, Ste. 350

Portland, OR 97205

T: 503-222-1143

FITZER VEAL LAW, PS

Bertha B. Fitzer, WSBA No. 12184

bertha@f2vm.com

Jennifer Marie Merringer Veal,

WSBA No. 41942

jen@f2vm.com

1102 Broadway, Ste. 401

Tacoma, WA 98401

T: 253-683-4501

Counsel for John Ngo, D.O., Arin Braseth, M.D.

CERTIFICATE OF SERVICE

I hereby certify that on the date below, I hereby electronically filed the
ORDER OF DISMISSAL WITH PREJUDICE AS TO BAYER DEFENDANTS ONLY, with the
Clerk of the Court using the CM/ECF system, which will send notification of such filing
to the following:

*Counsel for Bayer Healthcare, LLC,
Bayer Medical Care, Inc., and Bayer
Healthcare Pharmaceuticals, Inc.*

Nancy M. Erfle
Gordon Rees LLP
121 SW Morrison St., Suite 1575
Portland, Oregon 97204
503-222-1075
nerfle@gordonrees.com

☒ E-Filed with CM/ECF
☐ Facsimile
☐ Regular U.S. Mail
☐ E-Mail

AND

Luke C. Beasley
Benjamin J. Whiting
Kaspar J. Stoffelmayr
Bartlit Beck LLP
54 W. Hubbard Street
Chicago, Illinois 60654
312-494-4400
Luke.Beasley@bartlitbeck.com
Ben.Whiting@bartlitbeck.com
Kaspar.Stoffelmayr@bartlitbeck.com

///

///

///

*Counsel for John Ngo, DO and Arin
Braseth, MD*

David S. Mephram
Hodgkinson Street Mephram LLC
1620 SW Taylor, Suite 350
Portland, Oregon 97205
503-222-1143
dsm@hs-legal.com

☒ E-Filed with CM/ECF
☐ Facsimile
☐ Regular U.S. Mail
☐ E-Mail

AND

Bertha Fitzer
Fitzer Veal Law, PS
1102 Broadway
Tacoma, WA 98402
253-683-4516
bertha@f2vl.com

☒ E-Filed with CM/ECF
☐ Facsimile
☐ Regular U.S. Mail
☐ E-Mail

*Counsel for Corey Sullivan, MD,
Providence St. Joseph Health,
Providence Health & Services -
Washington, Providence St. Peter
Hospital & Providence Med. Grp.*

Eric A. Norman
Fain Anderson VanDerhoef et al.
701 Fifth Avenue, Suite 4750
Seattle, WA 98104
206-749-0094
eric@favros.com

☒ E-Filed with CM/ECF
☐ Facsimile
☐ Regular U.S. Mail
☐ E-Mail

DATED this 23rd day of September, 2020.

/s/ Robert S. Wagner

Robert S. Wagner
David K. Miller